

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

AUTO-OWNERS INSURANCE,)
)
Plaintiff,) Case No.: 1:19-cv-00066-SNLJ
)
v.)
)
BLAIR LEASING, LLC,)
)
Defendant.)

BLAIR LEASING, LLC,)
)
Counter-Plaintiff,)
)
v.)
)
AUTO-OWNERS INSURANCE,)
)
Counter-Defendant.)

**JOINT MOTION TO EXTEND SCHEDULING ORDER DEADLINE
FOR SUMMARY JUDGMENT AND DAUBERT MOTIONS**

COME NOW the parties, Plaintiff and Counter-Defendant Auto Owners Insurance Company (“Plaintiff”) and Defendant and Counter-Plaintiff, Blair Leasing, LLC (“Defendant”), and hereby submit the foregoing Joint Motion to Extend Scheduling Order Deadline (“Motion”) of the current Case Management Order [Please see Doc. 10]. In support thereof, the parties jointly state the following:

1. Per the Court’s Case Management Order, any motions to dismiss, for summary judgment or motions for judgment on the pleadings must be filed no later than May 1, 2020. Opposition briefs shall be filed no later than June 1, 2020 and any reply brief may be filed no later than June 15, 2020.

2. Per the Court's Case Management Order, any motions under Daubert shall be filed no later than May 1, 2020.

3. On March 19, 2020, the parties requested an extension to complete discovery and expert discovery due to the COVID-19 pandemic. [Please see Doc. 26].

4. This request was granted on March 23, 2020.

5. The new deadlines were as follows:

- a. ADR Completion Deadline due by 7/1/2020;
- b. ADR Compliance Report Deadline due by 7/15/2020;
- c. Discovery Completion due by 6/30/2020; and
- d. Expert Discovery due by 5/31/2020.

6. Then on April 8, 2020, the parties again sought a continuance for deadlines for summary judgment and Daubert motions in light of the extensions granted above. [Please see Doc. 28].

7. This continuance was granted on April 9, 20. [Please see Doc. 29].

8. Parties now seek another extension on the deadline for Summary Judgment, Daubert Motions, and Expert Discovery deadlines.

9. Blair Leasing's two remaining experts' depositions were scheduled for May 29, 2020; however as a result of a conflict these depositions had to be continued.

10. These depositions are now set for June 22, 2020.

11. Parties respectfully request an extension to June 23, 2020 to complete expert discovery.

12. Parties also respectfully request an extension to July 7, 2020, fifteen (15) days after the completion of the expert depositions, to file Motions for Summary Judgment and Daubert Motions.

13. The parties affirm that this Motion is not submitted for the purposes of delay, and neither party will be prejudiced should the Court grant this Motion.

14. Parties have been working diligently on this case. Discovery has been complicated as a result of the COVID-19 pandemic.

15. Parties mediated this case on May 1, 2020, with Gary Snodgrass, and a settlement was not achieved. [Please see Document 30].

16. In sum, the parties respectfully request an extension to 6/23/2020 to complete expert discovery and an extension to 7/7/2020 to file Motions for Summary Judgment and Daubert Motions.

WHEREFORE, premises considered, the parties respectfully request the Court grant this Motion to Extend Scheduling Order Deadline as referenced hereinabove.

Respectfully submitted,

/s/ J. Drew Houghton (with permission)

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served by the Court's electronic filing system, this 28th day of May, 2020, on the counsel of record listed below.

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